UNITED STATES PATENT AND TRADEMARK OFFICE

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10/678,407	10/03/2003	Teruhiko Fujisawa	MM4641	9999

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

| **Office Action Summary** | | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____ .

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-17* is/are pending in the application.

     4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-17* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a)☐ All   b)☐ Some *   c)☐ None of:

       1.☐ Certified copies of the priority documents have been received.

       2.☐ Certified copies of the priority documents have been received in Application No. _____ .

       3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

     * See the attached detailed Office action for a list of the certified copies not received.

KHOI H. TRAN
SUPERVISORY PATENT EXAMINER

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08)
     Paper No(s)/Mail Date <u>See Continuation Sheet</u>.

4)☐ Interview Summary (PTO-413)
     Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____ .

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :07/31/2006, 11/14/2005, 10/03/2003.

DETAILED ACTION

Information Disclosure Statement

The information disclosure statement (IDS) submitted on 07/31/2006,

11/14/2005, and 10/03/2003 was filed after the mailing date of the application on

10/02/2003. The submission is in compliance with the provisions of 37

CFR 1.97. Accordingly, the information disclosure statement is being considered

by the examiner.1

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35

U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 – 17 are rejected under 35 U.S.C. 102(b) as being anticipated by

Nel (2001/0002468).

As per claim 1: Nel shows:

A data processing system for processing and storing information relating to

purchases made with one or more credit cards comprising:

a portable storage device independent of the credit card used to make a

credit card purchase, said storage device having a rewritable nonvolatile memory

unit for storing credit card usage information (Page 4, [0096]: where the portable

storage device is used to transfer information from one machine to another.);

a first data processing device for running a write process for generating card usage information for a payment made with a credit card when a credit card is used to make a purchase, and writing the credit card usage information to the portable storage device (Fig. 17: where the system (#100) shows an ATM (#112) capable of reading cards and processing information independently and in conjunction with the computer centers of various financial institutions (#122A – 122D). The processor on the ATM machine is the first data processing device); and

a second data processing device comprising a processor for running a read process to read card usage information for each credit card written to the portable storage device (Fig. 17: where the system (#100) shows an ATM (#112) capable of reading cards and processing information independently and in conjunction with the computer centers of various financial institutions (#122A – 122D). The processors on the computer centers of various financial institutions are the second data processing devices.).

As per claim 2: Nel shows:

A data processing system according to claim 1 further comprising means for enabling the portable storage device to communicate wirelessly with said first and/or second data processing portable storage device (Page 4, [0096]: where the portable storage device is used to transfer information from one machine to another. Since a smart card is a portable storage device that the disclosure in Nel is able to use, the user may use wireless smart cards to communicate wirelessly with the first and second data processing devices.).

As per claim 3: Nel shows:

A data processing system according to claim 2, wherein the card usage information includes a payment amount and credit card number for the credit card used to make a purchase; and wherein the processor of the second data

processing device executes a transaction management process based on the card usage information read by the read process for grouping and sorting payment amounts by credit card number and for executing a calculation process for calculating totals for the sorted payment amounts (Page 1, [0009]: wherein a transaction is processed by automatically initiating payment by the purchaser for the amount equal to the value of the transaction. Fig. 14 (a) – 16 (a): where the customer account is verified. Page 5, [0105]: wherein the card is inserted at the ATM, in order to access user's account information, the transaction system (#10) then asks the user to verify the PIN or the access code. Once the transaction is confirmed the transaction information is then transmitted to the vendor database where it is stored and used to update the system. This updating process involves sorting of the transaction information based on product criteria.).

As per claim 4: Nel shows:

A data processing system according to claim 3, wherein the card usage information further includes a payment deadline for the credit card used for purchases;

and the second data processing device further comprises an input unit for specifying a billing month for the credit card,

wherein the processor of the second data processing device includes means for calculating the total of payment amounts included within the payment deadline in the billing month specified using the input unit.

(Page 5, [0106]: where if the purchaser does not have enough fund in his or her account, the purchaser is given an opportunity to utilize his or her credit card account(s) for making payments. Such credit card account(s) has payment deadline, and monthly billing processes. The billing process involves calculation of the total payment amount included within the billing month specified.

Page 5, [0110]: where if the purchaser does not have enough fund in his or her account, the purchaser is given an opportunity to utilize credit facilities based on credit evaluation criteria. Such credit facilities have payment deadlines, and monthly billing processes. The billing process involves calculation of the total payment amount included within the billing month specified.).

As per claim 5: Nel shows:

A data processing system according to claim 2, wherein the card usage information includes a payment amount and credit card number for the credit card used to make a purchase; and

the second data processing device further comprises a storage unit for storing an account number for a settlement account for the credit card used for purchases, and

wherein the processor of the second data processing device executes a transaction management process based on the card usage information read by the read process for grouping and sorting payment amounts by the account number and executes a calculation process for calculating totals for the sorted payment amounts.

(Page 1, [0009]: wherein a transaction is processed by automatically initiating payment by the purchaser for the amount equal to the value of the transaction. Page 5, [0105]: wherein the card is inserted at the ATM, in order to access user' s account information, the transaction system (#10) then asks the user to verify the PIN or the access code. Once the transaction is confirmed the transaction information is then transmitted to the vendor database where it is stored and used to update the system. This updating process involves sorting of the transaction information based on product criteria. Fig. 17: where the system (#100) shows an ATM (#112) capable of reading cards and processing information independently and in conjunction with the computer centers of

various financial institutions (#122A – 122D). The processors on the computer centers of various financial institutions are the second data processing devices. (Page 2, [0048]: These processors store transaction information that involves the financial institution for various customers. Page 5, [0105]: wherein the card is inserted at the ATM, in order to access user' s account information, the transaction system (#10) then asks the user to verify the PIN or the access code. Once the transaction is confirmed the transaction information is then transmitted to the vendor database where it is stored and used to update the system. This updating process involves sorting of the transaction information based on product criteria. The financial institutions need to perform calculations in order to process customer' s financial transactions and to be able to provide customers with periodic bank statements.)

As per claim 6: Nel shows:

A data processing system according to claim 5, wherein the card usage information includes a payment deadline for the credit card used for purchases; and

the second data processing device further comprises an input unit for specifying a billing month for the credit card,

the storage unit of the second data processing device further storing balance data for the settlement account, and

wherein the processor of the second data processing device includes means for calculating the total of payment amounts included within the payment deadline in the billing month specified using the input unit, comparing the total of payment amounts included within the payment deadline in the specified billing month with the account balance, and determining and reporting if the settlement amount due from the settlement account can be debited.

(Page 1, [0009]: wherein a transaction is processed by automatically initiating payment by the purchaser for the amount equal to the value of the transaction. Page 5, [0105]: wherein the card is inserted at the ATM, in order to access user' s account information, the transaction system (#10) then asks the user to verify the PIN or the access code. Once the transaction is confirmed the transaction information is then transmitted to the vendor database where it is stored and used to update the system. This updating process involves sorting of the transaction information based on product criteria. Fig. 17: where the system (#100) shows an ATM (#112) capable of reading cards and processing information independently and in conjunction with the computer centers of various financial institutions (#122A – 122D). The processors on the computer centers of various financial institutions are the second data processing devices. Page 2, [0048]: These processors store transaction information that involves the financial institution for various customers. The financial institutions need to perform calculations in order to process customer' s financial transactions and to be able to provide customers with periodic bank statements.).

As per claim 7: Nel shows:

A data processing system according to claim 1, wherein the portable storage device includes means for contactlessly reading and writing the card usage information from said first data processing device and said second data processing device respectively (Page 2, [0057]: wherein the data input means includes an optical reading device that performs transaction related functions.).

As per claim 8: Nel shows:

A data processing system according to claim 3, wherein the card usage information includes a product name for which payment was made or a store name to which payment was made, and

wherein the second data processing device includes means for printing or displaying the product name or store name and payment amount read from the portable storage device (Fig. 6c: where the product chosen is confirmed. Fig. 16 (a): where the user is requested to enter product and other relevant information in order to carry out the transaction successfully.).

As per claim 9: Nel shows:

A data processing system according to claim 8, wherein the card usage information includes information relating to the payment method of the credit card used to make a purchase, and

wherein the second data processing device includes means for printing or displaying the payment method and payment amount read from the portable storage device (Fig. 14 (a) – 16 (a): where the customer account is verified; any additional information pertaining to the transaction is also requested to be entered in order to ensure that the transaction can be carried out accurately, this includes specifying payment method (i.e. credit card, line of credit, etc.) and payment amount.).

As per claim 10: Nel shows:

A data processing method comprising the steps of:

providing a portable storage device having a rewritable nonvolatile memory unit for storing card usage information for one or more credit cards used to make a purchase, with the portable storage device being independent of the credit cards (Page 4, [0096]: where the portable storage device is used to transfer information from one machine to another.);

generating card usage information for a payment made with a credit card when a credit card is used to make a purchase (Page 1, [0028]: where a record is printed and maintained as proof of a transaction.);

writing the card usage information to the portable storage device (Page 4, [0096]: where the portable storage device is used to transfer information from one machine to another.);

reading the card usage information for each credit card written to the portable storage device (Page 4, [0096]: where the portable storage device is used to transfer information from one machine to another.); and

running a transaction management process based on the read card usage information (Page 4, [0096]: where the portable storage device is used to transfer information from one machine to another. A transaction requires the writing, reading, and running function to be successfully stored or transferred into a portable storage device, like a smart card.).

As per claim 11: Nel shows:

A data processing method according to claim 10, wherein the card usage information includes a payment amount and credit card number for the credit card used to make a purchase; and

the transaction management process executes a sorting process for grouping payment amounts by credit card number and a calculation process for calculating totals for the sorted payment amounts.

(Page 1, [0009]: wherein a transaction is processed by automatically initiating payment by the purchaser for the amount equal to the value of the transaction. Fig. 14 (a) – 16 (a): where the customer account is verified. Page 5, [0105]: wherein the card is inserted at the ATM, in order to access user' s account information, the transaction system (#10) then asks the user to verify the PIN or the access code. Once the transaction is confirmed the transaction information is then transmitted to the vendor database where it is stored and used to update the system. This updating process involves sorting of the transaction information

based on product criteria. The use of a portable storage medium may be made for transfer of information from one entity to another.)

As per claim12: Nel shows:

A data processing method according to claim 11, wherein the card usage information further includes a payment deadline for the credit card used for purchases; and

the transaction management process calculates the total of payment amounts included within the payment deadline in a billing month specified by an operator.

(Page 5, [0106]: where if the purchaser does not have enough fund in his or her account, the purchaser is given an opportunity to utilize his or her credit card account(s) for making payments. Such credit card account(s) has payment deadline, and monthly billing processes. The billing process involves calculation of the total payment amount included within the billing month specified.

Page 5, [0110]: where if the purchaser does not have enough fund in his or her account, the purchaser is given an opportunity to utilize credit facilities based on credit evaluation criteria. Such credit facilities have payment deadlines, and monthly billing processes. The billing process involves calculation of the total payment amount included within the billing month specified.).

As per claim 13: Nel shows:

A data processing method according to claim 10, wherein the card usage information includes a payment amount and credit card number for the credit card used to make a purchase,

the account number of a settlement account for the credit card used to make a purchase is pre-stored, and

the transaction management process executes a sorting process for grouping payment amounts by account number, and a calculation process for calculating totals for the sorted payment amounts.

(Page 1, [0009]: wherein a transaction is processed by automatically initiating payment by the purchaser for the amount equal to the value of the transaction. Fig. 14 (a) – 16 (a): where the customer account is verified. Page 5, [0105]: wherein the card is inserted at the ATM, in order to access user' s account information, the transaction system (#10) then asks the user to verify the PIN or the access code. Once the transaction is confirmed the transaction information is then transmitted to the vendor database where it is stored and used to update the system. This updating process involves sorting of the transaction information based on product criteria.

Fig. 1: shows a transaction system (#10) where a transaction between a vendor and a purchaser is performed, where an ATM (#12) may be utilized to make payments. In this case, the use of ATM (#12) necessitates the pre-establishment and storage of an account.).

As per claim 14: Nel shows:

A data processing method according to claim 13, wherein the card usage information further includes a payment deadline for the credit card used for purchases; and

the transaction management process calculates the total of payment amounts included within the payment deadline in the billing month specified by the operator,

receives the account balance of the settlement account for the credit card used for purchases,

compares the total of payment amounts included within the payment deadline in the specified billing month with the account balance, and

determines and reports if the settlement amount due from the settlement account can be debited.

(Page 5, [0106]: where if the purchaser does not have enough fund in his or her account, the purchaser is given an opportunity to utilize his or her credit card account(s) for making payments. Such credit card account(s) has payment deadline, and monthly billing processes. The billing process involves calculation of the total payment amount included within the billing month specified.

Page 5, [0110]: where if the purchaser does not have enough fund in his or her account, the purchaser is given an opportunity to utilize credit facilities based on credit evaluation criteria. Such credit facilities have payment deadlines, and monthly billing processes. The billing process involves calculation of the total payment amount included within the billing month specified.

Fig. 6(b), [0106]: shows a check procedure to verify that an account from which funds are to be transferred has sufficient funds. In order to access the sufficiency of funds in an account, the system has to calculate the total payment to be made by the customer, the amount of funds in the account utilized for making the payment, and then compare the two to make sure that the account has enough funding to be able to make the payment.).

As per claim 15: Nel shows:

A computer-readable recording medium for storing a computer program which implements a data processing method in a data processing device for reading and writing information to a portable storage device having a rewritable nonvolatile memory unit for storing credit card usage information for one or more credit cards used to make a purchase with said computer program including a read program to implement a read process for

reading card usage information from the portable storage device representative or purchases made by one or more credit cards; and

including a transaction management program for implementing the running of a transaction management process based on card usage information read by the read process.

(Page 4, [0096]: where the portable storage device is used to transfer information from one machine to another. Page 1, [0028]: where a record is printed and maintained as proof of a transaction. A transaction requires the writing, reading, and running function to be successfully stored or transferred into a portable storage device, like a smart card.).

As per claim 16: Nel shows:

A computer-readable recording medium according to claim 15 wherein the card usage information includes a payment amount and credit card number for the credit card used to make a purchase; and

wherein the transaction management process runs a sorting process for grouping payment amounts by credit card number and a calculation process for calculating totals for the sorted payment amounts.

(Page 4, [0096]: where the portable storage device is used to transfer information from one machine to another. Page 1, [0028]: where a record is printed and maintained as proof of a transaction. A transaction requires the writing, reading, and running function to be successfully stored or transferred into a portable storage device, like a smart card. Page 1, [0009]: wherein a transaction is processed by automatically initiating payment by the purchaser for the amount equal to the value of the transaction. Fig. 14 (a) – 16 (a): where the customer account is verified. Page 5, [0105]: wherein the card is inserted at the ATM, in order to access user' s account information, the transaction system (#10) then asks the user to verify the PIN or the access code. Once the transaction is

confirmed the transaction information is then transmitted to the vendor database

where it is stored and used to update the system. This updating process involves

sorting of the transaction information based on product criteria. The use of a

portable storage medium may be made for transfer of information from one entity

to another.)

As per claim 17: Nel shows:

A computer-readable recording medium according to claim 15 wherein the card

usage information includes a payment amount and credit card number for the

credit card used to make a purchase; and

wherein the transaction management process runs a sorting process for

grouping payment amounts by the account numbers of the settlement accounts

for the credit cards used for purchases, and a calculation process for calculating

totals for the sorted payment amounts.

((Page 1, [0009]: wherein a transaction is processed by automatically initiating

payment by the purchaser for the amount equal to the value of the transaction.

Fig. 14 (a) – 16 (a): where the customer account is verified. Page 5, [0105]:

wherein the card is inserted at the ATM, in order to access user' s account

information, the transaction system (#10) then asks the user to verify the PIN or

the access code. Once the transaction is confirmed the transaction information is

then transmitted to the vendor database where it is stored and used to update

the system. This updating process involves sorting of the transaction information

based on product criteria.

Fig. 1: shows a transaction system (#10) where a transaction between a vendor

and a purchaser is performed, where an ATM (#12) may be utilized to make

payments. In this case, the use of ATM (#12) necessitates the pre-establishment

and storage of account information.).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Tannenbaum (5521363) is a system and method for tracking memory card transactions. Schibi (6910023) is a method for conducting secure transactions containing confidential, financial, payment, credit, or other information over a network. Savar (4727243) is a financial transaction system. Bigari (5010485) is an apparatus, system, and method for creating credit vouchers usable at point of purchase stations. Rajasekaran et al. (2003/0042301) is enhancements to multi-party authentications and other protocols.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nancy Mehta whose telephone number is 571-270-3265. The examiner can normally be reached on Monday - Friday 9:00 am - 5:00 pm, alt. Friday off.
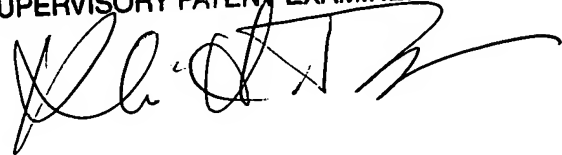
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Khoi Tran can be reached on 571-272-6919. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

   Information regarding the status of an application may be obtained from

the Patent Application Information Retrieval (PAIR) system. Status information

for published applications may be obtained from either Private PAIR or Public

PAIR. Status information for unpublished applications is available through

Private PAIR only. For more information about the PAIR system, see http://pair-

direct.uspto.gov. Should you have questions on access to the Private PAIR

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free). If you would like assistance from a USPTO Customer Service

Representative or access to the automated information system, call 800-786-

9199 (IN USA OR CANADA) or 571-272-1000.

Nancy Mehta   KHOI H. TRAN
                                                  SUPERVISORY PATENT EXAMINER